

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J		PAGE OF PAGES 1 4	
2. AMENDMENT/MODIFICATION NO. 0004		3. EFFECTIVE DATE 11-Feb-2005		4. REQUISITION/PURCHASE REQ. NO.		5. PROJECT NO.(If applicable)	
6. ISSUED BY NAVAL SURFACE WARFARE CENTER, CARDEROCK CODE 3352, ANNMARIE BARTHOLOMEO 5001 SOUTH BROAD ST PHILADELPHIA PA 19112-1403		CODE N65540		7. ADMINISTERED BY (If other than item 6) See Item 6		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				<input checked="" type="checkbox"/> X		9A. AMENDMENT OF SOLICITATION NO. N65540-05-R-0003	
				<input checked="" type="checkbox"/> X		9B. DATED (SEE ITEM 11) 03-Jan-2005	
						10A. MOD. OF CONTRACT/ORDER NO.	
						10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input checked="" type="checkbox"/> X The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> X is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning <u> 1 </u> copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) The following is applicable to this amendment:							
<p>Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.</p>							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)			
				TEL: _____ EMAIL: _____			
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
_____ (Signature of person authorized to sign)				BY _____ (Signature of Contracting Officer)		11-Feb-2005	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

The following items are applicable to this modification:AMENDMENT 0004

A. The date for receipt of offers remains 22 February 2005, 1330 hours (1:30 p.m.).

B. The following answers are provided to additional contractor questions:

Question 1 - Reference Amendment No.0003 Section B, Item 4 and Section C, Item 6 (SOW para 3.19.24-Permeate Treatment). Will there be a revision to Section 3.19.24 issued? Does the supply of the UV Sterilizer remain in the Scope of Work, to be supplied by the offeror? Please provide the specifications/capacity of the distillate transfer pump to allow for the appropriate design of the Permeate Treatment UV.

Answer 1 – Paragraph 3.19.24 entitled Permeate Treatment will be removed from the scope of work (See Below).

Question 2 - Reference Amendment No.0003 Section B, Item 5 and Section C, Item 7.(SOW para 4.5.1 45-Day Qualification Testing). Based on discussions with the Test facility at Port Hueneme, maintaining a specific feedwater SDI level for purposes of the 45-Day Test is, even at the revised ranges, not possible. Please clarify if the SDI requirements for the purposes of the 45-Day Test will be revised.

Answer 2 – No changes will be made to our requirement regarding the above clarification.

Question 3 - Reference Amendment No 0003 Section C, Item 1, Supplies and Services, and Solicitation Section F, Required Delivery Schedule. Please clarify if the following are defined as Calendar Days or Work Days.

- (1) “205 days after date of contract” referenced in Section C, Item 1 of Amendment No. 003.
- (2) “Days after Delivery Order Award” and “Days after Acceptance of First Article Testing” referenced in Section F, Required Delivery Schedule of the Solicitation.

Answer 3 – All days refer to Calendar Days.

Question 4 - Under Paragraph 4.5.1, 45 Day Qualification Testing, the clause as indicated in Amendment 0003 stated that a closed loop test facility is prohibited for this test. It is not known why a closed loop is a problem as long as the permeate and the brine are mixed back into the Chemical tanks and the process starts with and ends with the same "natural" seawater as stated in the aforementioned clause.

Answer 4 – A closed loop test arrangement will not meet the intent of the test to prove the system will operate reliably under continuous suspended solids loading and natural environmental variations. Conducting a closed loop test will give us no confidence that the unit will operate reliably after it is installed on a ship without continuous attention. Also operating a closed loop system for long time periods has resulted in accelerated membrane fouling.

Question 5 - Another point of clarification, regarding progress payments. The amendment states:

(g) Before first article approval, the acquisition of materials or components for, or the

commencement of production of, the balance of the contract quantity is at the sole risk of the Contractor. Before first article approval, the costs thereof shall not be allocable to this contract for

(1) progress payments, or
(2) termination settlements if the contract is terminated for the convenience of the Government.

It is interpreted that after award, progress payments can be submitted for work undertaken as part of the first article test. It is also interpreted that this clause means that progress payments for the production units are acceptable once first article testing has been approved. Please provide clarification.

Answer 5 – The solicitation was issued as an IDIQ FFP and did not include Progress Payment requirements. First Article Testing and Rehab costs will not be split out and therefore, payments cannot be made on the First Article units until accepted by the Government.

C. The following changes are made to the solicitation:

1. Delete Paragraph 3.19.24 entitled Permeate Treatment from Section C, Statement of Work.